

UNITED STATES DISTRICT COURT, OFFICE
DISTRICT OF MASSACHUSETTS

CHARLES J. SENIOR, NORMAN FAHY,)
RONALD D. PHIPPS, RAYMOND)
W. POSTMA, THOMAS G. HIRL,)
GARRETT M. FAGAN)
and UNITED STEELWORKERS)
OF AMERICA, LOCAL 12004)
v.)
NSTAR ELECTRIC AND GAS)
CORPORATION and)
COMMONWEALTH GAS COMPANY)

FILED
MARCH -U P 2:52
CLERK'S OFFICE
DISTRICT OF MASS.

Civil Action No. 04-10160-EFH

**ATTACHMENTS TO PLAINTIFFS'
STATEMENT OF UNDISPUTED FACTS**

1. Affidavit of Warren H. Pyle, with the following attachments:
 - A. Relevant portions of collective bargaining agreements between Local 12004, United Steelworkers of America and Commonwealth Gas Company and NSTAR Electric and Gas Company, 1993-2006.
 - B. Memorandum of Agreement between Local 12004 and Commonwealth Gas Company concerning the 1997 Personnel Reduction Program.
 - C. Memorandum of Agreement between Local 12004, United Steelworkers of America and Commonwealth Gas Company concerning the 1999 Voluntary Separation Program. (Tieuli Depo. Exhibit 8A)
 - D. Documents provided by defendant NSTAR in response to document requests
 - E. Memoranda of agreement between Local 12004 and Commonwealth Gas Company dated June 16, 1986, December 11, 1986, July 20, 1987, October 14, 1987 and June 13, 1989
2. Deposition of Bernard Peloquin, 10/20/04 (Volume 1) pages 1-4, 15, 18, 22-25, 27-29, 33, 41, 52, 55-56, 62-70; and 10/21/04 (Volume 2) pages 8-11, 14-18, 21-23, 29; and deposition Exh. 25.
3. Deposition of Francis J. Tieuli, pages 1-4, 17-19, 27, 37-38.
4. Deposition of Charles J. Senior, pages 1-4, 8-20.

5. Deposition of Norman Fahy, pages 1-4, 23, 28.
6. Deposition of Ronald D. Phipps, pages 1-4, 16, 20, 25, 27-31, 38.
7. Deposition of Raymond W. Postma, pages 1-4, 14-18; and deposition Exh. 2.
8. Deposition of Thomas G. Hirl, pages 1-4, 15.
9. Deposition of Garrett M. Fagan, pages 10, 36-37.
10. Document entitled Personnel Reduction Program, Information for Commonwealth Energy System and Subsidiary Companies Employees (1997)
11. Document entitled 1997 Personnel Reduction Program (Tieuli Depo. Exh. 7)
12. Document entitled COM/Energy 1999 Voluntary Separation Program for Employees Represented by Locals 333, 392 and 12004, Program Summary.
13. Documents entitled "Information Relative to Employee Benefits Upon Your Retirement Date" for Norman Fahy, Ronald D. Phipps, Raymond W. Postma and Thomas G. Hirl.
14. Charles J. Senior Deposition Exhibit 1.
15. Garrett M Fagan Deposition Exhibit 10.
16. Peloquin Deposition Exh. 19, Page DB 33 of 264 page document entitled Participant Benefits Information.
17. Document showing dates of retirement of Commonwealth Gas employees.
18. Expert report of Carol S. Chandor.
19. Letter from Robert Morris, Esq. to Warren H. Pyle, January 13, 2005.
20. Affidavit of Norman Fahy.
21. Affidavit of Ronald Phipps.
22. Affidavit of Raymond W. Postma.
23. Affidavit of Thomas Hirl.
24. Affidavit of Kathleen Laflash.

25. Affidavit of Mary Jane Senior.

Respectfully submitted:

CHARLES J. SENIOR, NORMAN FAHY,
RONALD D. PHIPPS, RAYMOND
W. POSTMA, THOMAS G. HIRL,
GARRETT M. FAGAN
and UNITED STEELWORKERS
OF AMERICA, LOCAL 12004

By their attorneys,

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Dated: March 4, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon all counsel of record, by hand delivery, on March 4, 2005.

Warren H. Pyle, Jr.
Warren H. Pyle

Senior Attachment to Plaintiffs' Statement of Undisputed Facts